

Application No.: 09/577,071
Attorney Docket No. 99-852

REMARKS

Applicants note that an Office Action was mailed March 30, 2004, after Applicants submission of an Appeal Brief on January 23, 2004. Applicants therefore believe that the Examiner has reopened prosecution under Rule 193(2). Applicants therefore submit the present response.

By this reply, Applicants amend claim 13 to more appropriately define the present invention and amend claim 28 for clarity. Claims 1-33 remain pending in this application.

In the Office Action mailed March 30, 2004, the Examiner rejected claim 13 under 35 U.S.C. § 112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. By this Amendment, Applicants have amended claim 13. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 13 under 35 U.S.C. § 112, second paragraph.

The Examiner rejected claims 1-8, 16-19, 22, 25, 28, 29, 32, and 33 under 35 U.S.C. § 102(e) as anticipated by Lauer et al. (U.S. Patent No. 6,118,936). Applicants respectfully traverse the rejection.

To properly anticipate Applicants' claimed invention, the Examiner must demonstrate the presence of each and every element of the claim in issue, either expressly described or under principles of inherency, in a single prior art reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2121 (8th ed., Aug. 2001), quoting Richardson v. Suzuki Motor Co., 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131 (8th ed. 2001), p. 2100-69.

Applicants' claim 1 recites a data processing apparatus for correlating network events among a number of client services comprising, among other things, "an event correlation service

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coupled to a knowledge database comprising correlation knowledge, said event correlation service adapted to: receive said parsed event from said event notification service; utilize data stored in said knowledge database to derive an event from said parsed event; and transmit said derived event to one of a plurality of operator workstations via said event notification service, regardless of a significance of said derived event." Lauer does not disclose at least these features.

Lauer teaches that all network events are input to the SNMS Alarming Server 302 for analysis and correlation. Some events are also input to the SNMS reporting server 304 and are stored for historical purposes. See col. 5, lines 39-43. In addition, process events component 402 receives generalized events from other SNMS components and parses each event to extract relevant data and identify the type of event. See col. 7, lines 33-40. However, Lauer does not disclose at least "an event correlation service coupled to a knowledge database comprising correlation knowledge, said event correlation service adapted to: receive said parsed event from said event notification service; utilize data stored in said knowledge database to derive an event from said parsed event; and transmit said derived event to one of a plurality of operator workstations via said event notification service, regardless of a significance of said derived event." Accordingly, Lauer does not anticipate claim 1 for at least this reason.

Independent claims 16, 18, 28, 32, and 33, while of a different scope, include recitations similar to those discussed above in relation to claim 1. For example, claim 16 recites a method for correlating network event messages on a computer network comprising, among other things, "transmitting said parsed event to said event correlation service; utilizing data stored in said knowledge database to derive an event from said parsed event; and transmitting said derived

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event to one of a plurality of operator workstations, regardless of a significance of said derived event."

Claim 18 recites a method for correlating network event messages on a computer network comprising, among other things, "transmitting said parsed event to said event correlation service; utilizing data stored in said knowledge database to derive an event from said parsed event; and transmitting said derived event to one of a plurality of operator workstations, regardless of a significance of said derived event."

Claim 28 recites a method for correlating network event messages on a computer network comprising, among other things, "transmitting said raw event to said message parsing service; parsing said raw event by said message parsing service; and transmitting said parsed event to said network management service, regardless of a significance of said parsed event."

Claim 32 recites a data processing apparatus for correlating network events among a number of client services comprising, among other things, "means for transmitting said parsed event to an event correlation service; means for utilizing data stored in a knowledge database to derive an event from said parsed event; and means for transmitting said derived event to one of a plurality of operator workstations, regardless of a significance of said derived event."

Claim 33 recites a computer system for correlating network events among a number of client services comprising, among other things, "to transmit said parsed event to a event correlation service; to utilize data stored in a knowledge database to derive an event from said parsed event; and to transmit said derived event to one of a plurality of operator workstations, regardless of a significance of said derived event."

For at least the above reasons, Applicants respectfully request the Examiner to withdraw the rejection of claims 1, 16, 18, 28, 32, and 33.

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The Examiner rejected claims 9-15, 20, 21, 23, 24, 26, 27, 30, and 31 under 35 U.S.C. § 103(a) as unpatentable over Lauer in view of Cohen et al. (U.S. Patent No. 6,477,585).

Applicants respectfully traverse the rejection.

To establish a proper *prima facie* case of obviousness under 35 U.S.C. § 103(a), the Examiner must demonstrate each of three requirements. First, the reference or references, taken alone or combined, must teach or suggest each and every element recited in the claims. See M.P.E.P. § 2143.03 (8th ed. 2001). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. See M.P.E.P. § 2143.01 (8th ed. 2001). Third, a reasonable expectation of success must exist. See M.P.E.P. § 2143.02 (8th ed. 2001). Moreover, each of these requirements must be found in the prior art, not in applicant's disclosure. See M.P.E.P. § 2143 (8th ed. 2001).

Claims 9-15, 20, 21, 23, 24, 26, 27, 30, and 31 depend from one of allowable independent claims 1, 16, 18, 28, 32, and 33, and thus include the recitations of their respective base claims.

As discussed above, Lauer does not disclose all of the features

of these claims. Moreover, Cohen does not make up for the deficiencies of Lauer. Accordingly, Cohen and Lauer, whether taken alone or in combination, do not teach or suggest claims 9-15, 20, 21, 23, 24, 26, 27, 30, and 31.

Additionally, Cohen discloses an event management service used in a distributed computing environment. Cohen also teaches using a filter mechanism for determining whether events generated by one or more event supplies are communicated to one or more event consumers. Thus, transmission, as taught by Cohen, is conditional. Consequently, there is no motivation of suggestion to combine the disclosure of Lauer with that of Cohen, which teaches conditional transmission. Accordingly, for at least this reason, the combination of Cohen and Lauer is thus improper.

For at least the above reasons, Applicants respectfully request the Examiner to withdraw the rejection of dependent claims 9-15, 20, 21, 23, 24, 26, 27, 30, and 31 under 35 U.S.C. § 103(a).

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 07-2347.

Respectfully submitted,

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